

AN ACT

relating to the review by the attorney general of invoices related to legal services provided to state agencies by outside counsel.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 402.0212, Government Code, is amended by amending Subsections (b) and (c) and adding Subsections (d), (e), and (f) to read as follows:

(b) An invoice submitted to a state agency under a contract for legal services as described by Subsection (a) must be reviewed by the attorney general to determine whether the invoice is eligible for payment.

(c) An attorney or law firm must pay an administrative fee to the attorney general for the review described in Subsection (b) when entering into a contract to provide legal services to a state agency.

(d) For purposes of this section, the functions of a hearing examiner, administrative law judge, or other quasi-judicial officer are not considered legal services.

(e) [~~(e)~~] This section shall not apply to the Texas Turnpike Authority division of the Texas Department of Transportation.

(f) The attorney general may adopt rules as necessary to implement and administer this section.

SECTION 2. The changes in law made by this Act apply only to a contract for legal services between a state agency and a private

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S.B. No. 367

1 attorney or law firm entered into on or after the effective date of
2 this Act. A contract for legal services between a state agency and
3 a private attorney or law firm entered into before the effective
4 date of this Act is governed by the law in effect at the time the
5 contract was entered into, and the former law is continued in effect
6 for that purpose.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2011.

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S.B. No. 367

David Newkirk

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 367 passed the Senate on
March 16, 2011, by the following vote: Yeas 30, Nays 0.

Patricia Spaw

Secretary of the Senate

I hereby certify that S.B. No. 367 passed the House on
May 23, 2011, by the following vote: Yeas 145, Nays 0, two
present not voting.

Robert Haney

Chief Clerk of the House

Approved:

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4PM O'CLOCK

JUN 17 2011

Debra R. Linder

Secretary of State